

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA**

RECEIVED
USDC, CLERK, CHARLESTON, SC

2015 AUG -6 P 12: 55

Gerren Amiker,)	
)	
Plaintiff,)	Civil Action No. 6:12-2886-RMG
)	
vs.)	
)	
Carolyn D. Colvin, Commissioner of Social Security,)	
)	
Defendant.)	ORDER
)	
)	
)	

This matter comes before the Court on Plaintiff's motion for approval of attorney's fees under 42 U.S.C. § 406(b). (Dkt. No. 35). Plaintiff has informed the Court that he was awarded Social Security disability benefits as a result of this present action that included a lump sum back benefits award of \$70,359.00. (Dkt. No. 35-1 at 1). He now seeks approval of a contingency fee for his attorney of 25% of his back benefits award. This would result in an attorney's fee of \$17,589.75. Counsel for Plaintiff has further informed the Court that this award is subject to offset from a previous award under the Equal Access to Justice Act ("EAJA") of \$5,235.50. (Dkt. No. 23). The Defendant has advised the Court that she does not oppose the approval of Plaintiff's attorney fee under § 406(b). (Dkt. No. 36).

The Court has reviewed the Plaintiff's motion in light of the standards set forth in *Grisbrecht v. Barnhart*, 535 U.S. 789, 808 (2002). The Court finds that pursuant to the *Grisbrecht* standards the proposed fee is reasonable and grants the Plaintiff's motion to approve the fee in the amount of \$17,589.75. Since Plaintiff is entitled to an offset for previously

awarded EAJA fees, Plaintiff's counsel is directed that upon receipt of the fee award approved herein to refund to Plaintiff \$5,235.50.

AND IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'R. Gergel', is written over a horizontal line.

Richard Mark Gergel
United States District Judge

August 5, 2015
Charleston, South Carolina